

Order

Michigan Supreme Court
Lansing, Michigan

September 10, 2008

Clifford W. Taylor,
Chief Justice

136187

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 136187
COA: 276597
Wayne CC: 06-011295-01

LAFAYETTE GARTH,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 14, 2008 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

KELLY, J., would remand this case for a hearing pursuant to *People v Ginther*, 390 Mich 436 (1973).



d0903

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 10, 2008

Corbin R. Davis

Clerk